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District of Nevada  
Nevada Bar Number 13644  
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*Attorneys for Defendant Greg Novak, Assistant Division  
Administrator, Federal Highway Administration*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Steven Renck,

Plaintiff,

v.

Greg Novak, Assistant Division  
Administrator, Federal Highway  
Administration,

Kristina Swallow, Principal in Charge of I-11  
Bypass Design Development, Nevada  
Department of Transportation,

Nevada Highway Patrol, PIO Trooper Travis  
Smaka, and

Rod Woodberry, Mayor, Boulder City,  
Nevada, Boulder City Hall,

Defendants.

Case No. 3:19-cv-00622-RCJ-CBC

**Defendant Greg Novak's Motion for  
Extension of Time to Respond to  
Plaintiff's "Personal Injury Claim"**

Defendant Greg Novak, Assistant Division Administrator, Federal Highway  
Administration ("Novak"), by and through undersigned counsel, hereby moves for an  
Order extending the time in which he is required to file a responsive pleading to Plaintiff's  
"Personal Injury Claim." Novak requests that the time be extended to November 24, 2019.  
The basis for this motion is as follows:

1           1.     This action was originally brought in the First Judicial District Court of the  
2 State of Nevada in and for Carson City, Case No. A19 TRT 00064 1B, Dept. II. The named  
3 federal Defendant is Greg Novak, an employee with the United States Federal Highway  
4 Administration, a federal agency.

5           2.     On October 10, 2019, Novak filed a Notice of Removal, removing the action  
6 from state court to federal District Court.

7           3.     Rule 81(c) of the Federal Rules of Civil Procedure provides the time period  
8 to answer an initial pleading in a removed action. The time period provided is the later of  
9 21 days after receipt or service of the initial pleading or seven days after the removal.  
10 However, a federal officer would ordinarily be permitted a response time of 60 days to  
11 respond pursuant to Rule 12(a)(2) of the Federal Rules of Civil Procedure.

12           4.     Service of the "Personal Injury Claim" was attempted on September 25,  
13 2019. It is proposed, and requested, that the time within which to file a response to the  
14 "Personal Injury Claim" be extended to November 24, 2019—a date that is 60 days  
15 following the date of that attempted service.

16           5.     The usual sixty-day response time is needed to meaningfully evaluate the  
17 allegations of the "Personal Injury Claim" and prepare a response to that pleading on  
18 behalf of Novak.

19           Respectfully submitted this 10th day of October 2019.

20                                   NICHOLAS A. TRUTANICH  
21                                   United States Attorney

22                                   s/ Holly A. Vance  
23                                   HOLLY A. VANCE  
24                                   Assistant United States Attorney

25     **IT IS SO ORDERED:**

26     DATE: 10/11/2019

27                                     
28                                   UNITED STATES MAGISTRATE JUDGE

**Certificate of Service**

I, Holly A. Vance, hereby certify that service of the foregoing Defendant Greg Novak's Motion for Extension of Time to Respond to Plaintiff's "Personal Injury Claim" was made through the Court's Electronic Filing and Notice System (CM/ECF), and by sending a copy of the same by first class mail addressed to the following:

Steven Renck  
10804 NE 19th Pl  
Bellevue, WA 98004

Trooper Travis Smaka  
Nevada Highway Patrol  
4615 West Sunset Road  
Las Vegas, NV 89118

Kristina Swallow  
Nevada Department of  
Transportation  
1263 South Stewart Street  
Carson City, NV 89712

Rod Woodberry, Mayor  
Boulder City Hall  
401 California Avenue  
Boulder City, NV 89005

Dated this 10th day of October 2019.

s/ Holly A. Vance  
HOLLY A. VANCE  
Assistant United States Attorney